



REPLY UNDER 37 C.F.R. 1.116 – EXPEDITED PROCEDURE
TECHNOLOGY CENTER 1764

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit	: 1764	Customer No. 023490
Examiner	: Prem C. Singh	
Serial No.	: 10/658,703	
Filed	: September 9, 2003	Docket No.: 108297
Inventor	: Santi Kulprathipanja	[UOP-07-1014CIP-CIP]
Title	: PHENYL-ALKANE COMPOSITIONS	Confirmation No.: 2306
	: PRODUCED USING AN ADSORPTIVE	
	: SEPARATION SECTION	Dated: February 6, 2007

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

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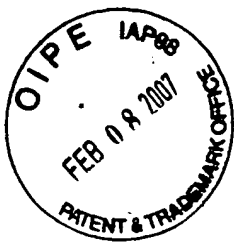
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Reply Under 37 C.F.R. 1.116

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Name of Applicant, Assignee, Applicant's Attorney
or Registered Representative:

DLA Piper US LLP
Customer No. 035811

By: Nancy Ruñez
Date: February 6, 2007



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This is submitted in response to the Official Action dated November 22, 2006.

Claims 1-21 stand rejected under 35 U.S.C. §102 or 35 U.S.C. §103 over Jones. The Applicant respectfully submits that the rejected claims are neither anticipated by nor obvious over Jones for the reasons set forth below.

The rejection essentially relies on the proposition that Jones produces linear alkyl benzenes using similar reactants, under similar operating conditions as the Applicant. The conclusion in the rejection is that the Jones product would have similar selectivity to internal quaternary phenyl-alkanes and 2-phenyl-alkanes as claimed.

Thus, the rejection is based on so-called “inherency” although that word is not explicitly used. In that regard, it must be remembered that the prior art relied upon in an inherency rejection must “necessarily” result in the claimed characteristic that is inherently the same as that of the rejected claim. It is not enough that the claimed characteristic “might be” present or “could be” present. It must “necessarily” be present.

The Applicant respectfully submits that Jones does not meet the required inherency standard. This is because the teachings of Jones and those of the Applicant’s Specification lead one skilled in the art to understand that the Applicant’s claimed selectivity would necessarily be different from